

Exhibit A.15



Associate Corrective Action Form

Associate Name: Billy T Green

Job Title: Pharmacy Informaticist

Department: Health Informatics

Location: CHRISTUS Health_Spohn Market

Date of Occurrence: December 16, 2016

Witness(es): Lilliana Saucedo and Ivonne Garcia

The purpose of this Associate Corrective Action form is to provide you with written notice of serious areas of concern, gaps in your work performance, and to reiterate CHRISTUS Health's expectations for Associate conduct and job performance in the workplace.

PROGRESSIVE DISCIPLINE PHASE

_____ Documented Verbal _____ Written _____ Final X Termination _____ (Term Code)

_____ A Performance Improvement Plan (PIP) accompanies this Associate Corrective Action form

KEY BEHAVIORAL / PERFORMANCE CHALLENGES

 X Insubordination _____ Deficiency in Key Competency/
Performance Area : _____

 X Attendance X Failure to uphold
CHRISTUS Core Value(s): Integrity

 X Attitude _____ Other: _____

APPLICABLE POLICIES/ PROTOCOLS

Attendance Management Policy

Progressive Discipline Policy

Violation/ Area(s) of Concern:

Violation: Lilliana (via conference call) and I met with Billy Green at 2:39pm. We were scheduled to meet at 2:30pm to provide coaching and discuss some concerns regarding his performance and unauthorized tardiness that occurred on 12/15/16 and 12/16/16. Billy Green became agitated and did not allow Lilliana or me the opportunity to provide coaching or to discuss the matter. We wanted to provide this coaching opportunity to help him identify and overcome any obstacles that have hindered him from excelling at his job.

Area(s) of Concern: Billy Green became hostile and insubordinate to his HI manager, HI Director, and HR Business Partner. The conduct and behavior displayed by Billy Green today were below the CHRISTUS Standards and Core Values: dignity, excellence, and integrity. Although we wanted to create an opportunity to bring attention to his performance and conduct issue, Billy Green refused to discuss or review with his HI manager, HI Divisional Director and HR Business Partner. Billy Green stated as an exempt employee he could work at any time from any place that he chooses. He also stated he doesn't have to come into the office. Billy Green mentioned that he had reached out to my husband via Facebook to encourage me (Erica) to apply for the HI Manager position. He was offered tools of support and assistance by me (HI manager) and the HR Business Partner; he refused stating that he would not need them. He stated that he did not need to protect this job because he could get a job anywhere in the country.

CHRISTUS 000065

Corrective Action Historical Review – (I.e. Observations, Previous Discussions or Counseling):

Undocumented informal discussion about chain of command related to a previous incident of circumventing the appropriate process for escalating issues on Friday, June 17, 2016.

07/14/16- Associate Corrective Action Form Verbal: Failure to uphold CHRISTUS Core Value_ Integrity. Reviewed Open Door Policy

07/14/16- Associate Corrective Action Form Written: Attitude and Unauthorized Absence; Working from Home without permission. Reviewed Time and Attendance System Policy and Attendance Management Policy

09/28/16- Coaching Document: Communication on completion of tasks assigned

11/18/16- Associate Corrective Action Form Final: Email Etiquette and Failure to uphold CHRISTUS Core Value_ Integrity (communication received from Spohn Market Leadership regarding concerns with Billy Green's unprofessional email communication)

12/7/16- Performance Improvement Plan Form: Email Etiquette and Failure to uphold CHRISTUS Core Value_ Integrity (communication received from Spohn Market Leadership regarding concerns with Billy Green's email communication). Reviewed Use and Internet and Electronic Mail- CHRISTUS Health Policy.

12/14/16, 12/15/16, and 12/16/16- Scheduled a meeting on 12/16/16 to coach and discuss the incidents (go live initiative communication and unauthorized tardiness) that occurred on identified dates. Planned to review the Attendance Management Policy.

Management Expectations Going Forward:

Associate Comments :

Signatures

Associate Name (Printed)

Associate Signature

Date

Signatures:

Manager Name (Printed)

Manager Signature

Date

Form Reviewed by the following HR Partner: _____

Date: _____

Exhibit A.16

From: Chapa, Erica
Sent: Tuesday, December 20, 2016 12:14 PM
To: Laughlin, Ivonne
Cc: Saucedo, Lilliana; Crunk, Glynda; Webster, Luke
Subject: RE: Billy Green - Separation

Thank you for the update.

Erica Rangel Chapa, BSHS, RN
Manager-Spohn
Health Informatics
CHRISTUS Health
600 Elizabeth Street | Corpus Christi | TX 78404
(o) 361. 881. 3089 | (c) [REDACTED]
www.christushealth.org

From: Garcia, Ivonne
Sent: Monday, December 19, 2016 9:18 AM
To: Chapa, Erica
Cc: Saucedo, Lilliana; Crunk, Glynda; Webster, Luke
Subject: Billy Green - Separation

Good morning Erica,

I contacted Billy this morning to finalize his separation.

He may be reaching out to an HI leader as he is not in agreement with the separation.

Please reach out to me when you return.

Best regards,

Ivonne Garcia, SPHR
Human Resources Business Partner
Human Resources Strategy
CHRISTUS Health
919 Hidden Ridge | Irving | TX 75039
(o) 469.282.2059
www.christushealth.org

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Exhibit A.17

Laughlin, Ivonne

From: MSS_noreply@christushealth.org
Sent: Tuesday, December 20, 2016 5:03 PM
To: Brooks, Catrina; Gonzales, Jeffery; Ridgeway-Washington, Ashley; Penaloza, Irma; Nelson, Charleen R.; Bell, Tequila; Laughlin, Ivonne
Subject: IMPORTANT! CHRISTUS MSS Assignment Notification

Chapa, Erica has submitted a Work Event - Employment Status Change - Terminate for Green, Billy on Tue Dec 20 18:02:55 EST 2016 which requires your approval. You may review and approve/reject the request by clicking on the following link <https://portal.adp.com>

Exhibit A.18

7009 1410 0001 8837 3934

U.S. Postal Service TM	
CERTIFIED MAIL[®] RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
HEALTH INFORMATION	
Postmark Here	
DEC 23 2016 % ERICA CHAPA	
Sent To: Billy Green	
Street, Apt. No., or PO Box No. [REDACTED]	
City, State, ZIP+4 Corpus Christi, TX 78418	
PS Form 3800, August 2006	
See Reverse for Instructions	

CHRISTUS 000249



FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 70091410000188373934

Remove X

Your item was delivered to an individual at the address at 11:17 am on December 24, 2016 in CORPUS CHRISTI, TX 78418.

Delivered

December 24, 2016 at 11:17 am
Delivered, Left with Individual
CORPUS CHRISTI, TX 78418

Feedback

Tracking History ^

December 24, 2016, 11:17 am

Delivered, Left with Individual
CORPUS CHRISTI, TX 78418

Your item was delivered to an individual at the address at 11:17 am on December 24, 2016 in CORPUS CHRISTI, TX 78418.

December 24, 2016, 7:44 am

Arrived at Unit
CORPUS CHRISTI, TX 78418

December 24, 2016, 4:55 am

Departed USPS Regional Facility
CORPUS CHRISTI TX DISTRIBUTION CENTER

December 23, 2016, 10:36 pm

Arrived at USPS Regional Facility
CORPUS CHRISTI TX DISTRIBUTION CENTER

CHRISTUS 000250

Exhibit A.19

BusinessPlans, Inc. - myCobraPlan
COBRA INFORMATION ENCLOSED
432 East Pearl Street
Miamisburg, OH 45342



1/6/2017

BILLY GREEN & Family

[REDACTED]
CORPUS CHRISTI, TX 78418

Dear BILLY GREEN & Family:

On 12/16/2016, you experienced an event of a/an Termination which constitutes a qualifying event under the CHRISTUS Health group health plan(s). As a result, your coverage, and that of your covered dependent(s), if any, will end on the date(s) set forth on the COBRA Continuation Election Form accompanying this letter. Under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) this entitles you and your covered dependent(s) if any, to elect to continue coverage (referred to as COBRA coverage) under the plan(s) enrolled as active member(s). The first day of COBRA coverage and the maximum continuation period is determined by plan. Please refer to your COBRA Election Form enclosed to determine your first day of COBRA coverage and maximum continuation period ("Last Day of COBRA").

How to Elect COBRA Coverage

Under COBRA, you have a limited number of days to elect continuation coverage. Your election window is determined by the plan and is calculated from the date your coverage under the plan is lost because of the event described above or the date this notice of your election rights is sent to you, whichever is later. To elect COBRA coverage, you must complete and submit the enclosed election form to BusinessPlans, Inc. - myCobraPlan no later than the Election Period End date ("Last Day to Elect") listed on the enclosed COBRA Election Form. This same notice is being sent separately to your spouse, if any; however, only one of you needs to elect continuation coverage for your spouse and dependent child(ren), if any, who wish to continue coverage. Furthermore, because COBRA gives you the right to elect coverage independently, you, your spouse or dependent child(ren), if any, may elect single coverage and not include those individuals who do not wish to continue coverage.

In addition to COBRA coverage, other health coverage options may be available to you, such as coverage through the Health Insurance Marketplace at www.healthcare.gov or 1-800-318-2596. You may also be eligible to enroll in coverage through Medicaid or another group health plan (like a spouse's plan), if you request enrollment within 30 days of the loss of coverage.

Payment of COBRA Coverage Premiums

The current amount of this premium and the due date for payment are explained in the enclosed COBRA Election Form. The premium may change in the future. We have used the information supplied by CHRISTUS Health to calculate your maximum continuation period under the plan(s) you were insured prior to your qualifying event. If there is a discrepancy between our calculation and the underwriting insurance carrier, the insurance carrier always governs. Please contact your insurance carrier(s) to determine the exact end of your maximum continuation period.

Length of COBRA Coverage Period

If you and your spouse or dependent child(ren), if any, elect coverage, it can last for a maximum continuation period ("Last Day of COBRA") described in the enclosed COBRA Election Form beginning on the date of your qualifying event, or loss of coverage, whichever is later. The first day of COBRA coverage will be determined by the plan. The continuation period may be extended for the following reasons:

1. Death of employee, divorce, legal separation or change in dependent status

If these events occur during the original maximum continuation period of COBRA coverage, the period of coverage for your spouse and dependent child(ren), if any, may be extended. These events extend the original maximum continuation period of COBRA coverage only if they would have caused your spouse or dependent child(ren), if any, to lose coverage under the plan if the original qualifying event had not occurred. Note that to receive this extension, you and/or your spouse and dependent child(ren), must notify the CHRISTUS Health Plan Administrator within 60 days of the occurrence of these events.

2. Medicare entitlement of employee

If you became entitled to Medicare BEFORE your qualifying event, COBRA laws allow you to remain eligible for up to 18 months of COBRA coverage. However, your spouse and dependent child(ren), if any, may receive extended COBRA coverage for up to the greater of either: (a) 36 months from the date of your Medicare entitlement; or (b) 18 months from the date of your qualifying event, or loss of coverage, whichever is later.



If you become entitled to Medicare AFTER your qualifying event but within the original maximum continuation period of your qualifying event, your spouse and dependent child(ren), if any, may receive an additional 18 months of COBRA coverage. Note that a person generally has become entitled to Medicare when he or she has applied for Social Security income payments or has filed an application for benefits under Part A or Part B of Medicare.

3. Disability determination

If it is determined that you and/or your spouse or dependent child(ren), if any, were determined to be disabled (by the Social Security Administration) during the first 60 days of COBRA coverage and you are still disabled at the end of your original maximum continuation period of coverage, the original maximum continuation period may be extended for an additional 11 months for all individuals covered under COBRA coverage from the date of the qualifying event. This extension only applies if the CHRISTUS Health Plan Administrator is notified within 60 days of a disability determination and before the end of the original maximum continuation period. Federal law requires that you notify the CHRISTUS Health Plan Administrator of a determination by the Social Security Administration that you, your spouse, or dependent child(ren) are no longer disabled within 30 days of such a determination. CHRISTUS Health can be reached at (866) 515-1333 during business hours.

4. Bankruptcy filing

If the employer files for bankruptcy reorganization and retiree health coverage is lost within one year before or after the bankruptcy filing, COBRA coverage could continue until the death of a retiree (or a surviving spouse of a deceased retiree) or for 36 months from the retiree's death (after the bankruptcy filing) in the case of the spouse and dependent child(ren).

Newborns and Adoptees

A child who is born to or placed for adoption with you during a period of COBRA coverage will be eligible to become covered under the plan. In accordance with the terms of the CHRISTUS Health group health benefits plan and the requirements of Federal law, these qualified beneficiaries can be added to COBRA coverage upon proper notification to the CHRISTUS Health Plan Administrator of the birth or adoption.

Early Termination of COBRA Coverage

COBRA coverage may terminate early if:

- (1) The required premium payment is not paid when due.
- (2) After the date of your COBRA election, you and your spouse or dependent child(ren), if any, become covered under another group health plan.
- (3) After the date of your COBRA election, you, your spouse or dependent child(ren), if any, become entitled to Medicare benefits.
- (4) All of CHRISTUS Health group health plans are terminated.
- (5) If coverage is extended an additional 11 months due to disability, a determination that the individual is no longer disabled.
- (6) COBRA coverage may also be terminated for any reason the plan would terminate coverage of a participant or beneficiary not receiving COBRA coverage (such as fraud).

Continuation coverage under COBRA is provided subject to your eligibility. The CHRISTUS Health Plan Administrator reserves the right to terminate your COBRA coverage retroactively if you are determined to be ineligible for coverage. To be sure that you, your spouse and your dependent child(ren), if any, receive the necessary information concerning your rights, you should keep BusinessPlans, Inc. - myCobraPlan informed of any address changes.

If you sign up for COBRA continuation coverage, you can switch to a Marketplace plan during a Marketplace open enrollment period. You can also end your COBRA continuation coverage early and switch to a Marketplace plan if you have another qualifying event such as marriage or birth of a child through something called a "special enrollment period." If you terminate COBRA continuation early without another qualifying event, you'll have to wait to enroll in Marketplace coverage until the next open enrollment period and may be without health coverage in the interim. When you've exhausted COBRA continuation and the coverage expires, you'll be eligible to enroll in Marketplace coverage through a special enrollment period even if the Marketplace open enrollment has ended. If you sign up for Marketplace coverage instead of COBRA, you cannot switch to COBRA continuation coverage.

Please be advised of your right to obtain a copy of the Summary Plan Description (SPD) for your group health plan by contacting the CHRISTUS Health Human Resource Department at (866) 515-1333. The SPD contains a complete description of your benefits.



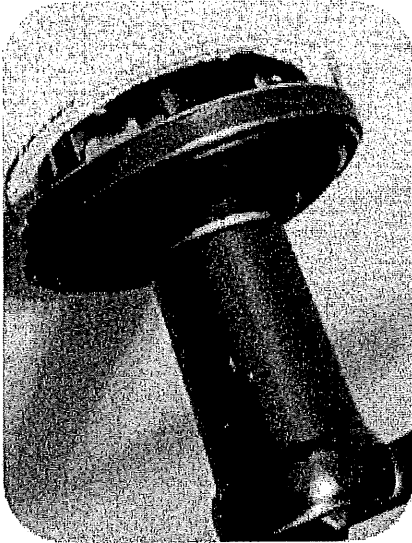
This notice is a summary of your COBRA rights. For answers to specific questions, please contact our Customer Service Department at (937) 865-8640 during business hours.

Sincerely,

BusinessPlans, Inc. - myCobraPlan

Exhibit A.20

Today 8:15 AM



🎄 Merry Christmas to you and all! God's love and peace to each. Be careful - Mark opened the door yesterday without looking first --rough looking guy taking a peek, casing it out.



Text Message

Send

Exhibit A.21

From: Chapa, Erica <erica.chapa@christushealth.org>
Sent: Wednesday, December 21, 2016 4:54 PM
To: Carvajal, LaRae; Laughlin, Ivonne; I_SPN.HR_BusinessPartners
Cc: Saucedo, Lilliana; Crunk, Glynda
Subject: RE: Spohn- BG
Attachments: BG pic.docx

-----Original Message-----

From: Carvajal, LaRae
Sent: Wednesday, December 21, 2016 4:39 PM
To: Garcia, Ivonne; I_SPN.HR_BusinessPartners
Cc: Chapa, Erica; Saucedo, Lilliana; Crunk, Glynda
Subject: RE: Spohn- BG

Do you happen to have a picture of him?

LaRae Carvajal
CHRISTUS Spohn Health System
Office: (361) 881-3846
Fax: (361) 882-1928
larae.carvajal@christushealth.org

-----Original Message-----

From: Garcia, Ivonne
Sent: Wednesday, December 21, 2016 4:36 PM
To: I_SPN.HR_BusinessPartners
Cc: Chapa, Erica; Saucedo, Lilliana; Crunk, Glynda
Subject: RE: Spohn- BG

All,

I wanted to make you aware of an incident that is occurring at this time.

A Health Informatics Associate (reported to System office) that was recently termed has been seen outside in the Spohn Shoreline parking area. Security has been contacted. The associate's name is Billy Green. He sent a questionable text message to his former manager, Erica Chapa, this morning. I briefly consulted Legal. If this behavior persists he will be receiving a No Trespass letter.

Feel free to contact me with questions.

Thanks,

Ivonne Garcia, SPHR
Human Resources Business Partner
Human Resources Strategy
CHRISTUS Health
919 Hidden Ridge | Irving | TX 75039
(o) 469.282.2059
www.christushealth.org

-----Original Message-----

From: Saucedo, Lilliana
Sent: Wednesday, December 21, 2016 4:30 PM
To: Garcia, Ivonne <ivonne.garcia@christushealth.org>
Cc: Chapa, Erica <erica.chapa@christushealth.org>
Subject: Spohn- BG

Hello Ivonne,

I just received a text from Erica Chapa, stating that Billy Green is outside in the Spohn Shoreline parking lot. Erica can see him from her window. She has contacted Security.

Lilliana Saucedo

Sent from my iPhone

Exhibit B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BILLY T. GREEN,)
PLAINTIFF,)
VS.) CIVIL ACTION NO.
) 2:18-CV-0064
CHRISTUS SPOHN HEALTH)
SYSTEM CORPORATION d/b/a)
CHRISTUS SPOHN HOSPITAL)
CORPUS CHRISTI SHORELINE,)
DEFENDANT.)

ORAL DEPOSITION OF

LILLIANA SAUCEDO

NOVEMBER 14, 2018

ORAL DEPOSITION of LILLIANA SAUCEDO, produced as a witness at the instance of the Plaintiff, and duly sworn, was taken in the above-styled and numbered cause on the 14th day of November, 2018, from 9:58 a.m. to 11:04 a.m., before Sharon L. McDonald, CSR, in and for the State of Texas, reported by machine shorthand, at the offices of Akerman, LLP, 112 E. Pecan, Suite 2750, San Antonio, Texas, pursuant to the Federal Rules of Civil Procedure.

Hill Country Court Reporters
(210) 691-1633

1 Q Did Ms. Chapa ever discuss Billy Green with you?

2 A Yes.

3 Q Do you remember when she first brought up Billy
4 Green with you?

5 A I'm a little unclear on your question. When she
6 brought up Billy to me?

7 Q Yes, ma'am.

8 A Maybe from the beginning when we had to give
9 updates regarding any initiatives that were pharmacy
10 related.

11 Q Well, my understanding is he was terminated in
12 December of 2016; is that correct?

13 A That's correct.

14 Q Did she bring him up about that time or was it
15 before?

16 A Before.

17 Q Was it months before, or a year before, two
18 years before?

19 A Months before.

20 Q Do you remember what -- what it was that she
21 brought up that was months before?

22 A Yes. In June of 2016, there was an incident
23 where Billy -- Mr. Green had sent communication to the
24 pharmacy directors and leadership to include our health
25 informatics leaders regarding -- it was -- it was -- I

1 don't remember exactly what the details were, but it was
2 an email that was sent out to them. And the email was
3 unprofessional. We did receive communication, myself and
4 Erica, included from Leslie Stewart, the health
5 informatics director of the system, indicating that she
6 did have some concerns with that communication and for us
7 to follow up with Billy Green. So Erica did provide
8 undocumented, informal coaching to Billy Green in June of
9 2016.

10 Then in July of 2016, there were two
11 incidents as well that occurred. One incident was where
12 he had sent communication, unprofessional communication
13 to the system CMIO LinkedIn. I received notification of
14 that verbally from the system CMIO where he had indicated
15 to him how to do his job, recommending what changes
16 should occur in the system; however, that had never been
17 communicated to Erica or I prior to that communication to
18 the system CMIO.

19 Q The system CFI?

20 A CMIO, chief medical informatics officer.

21 Q And who was -- is there a name to that position?

22 A Dr. Luke Webster.

23 Q Was Dr. Webster upset about it?

24 A Yes.

25 Q Did he tell you he was upset?

1 A He told my former director that he was upset
2 about it.

3 Q Who was your former director?

4 A Glynda Crunk.

5 Q And then Glynda Crunk communicated that to you,
6 that Dr. Webster was upset?

7 A Correct.

8 Q Did she use those words, "upset"?

9 A Yes.

10 Q And the concern for yourself and, I guess,
11 Ms. Chapa was that he did not -- Billy Green's failure,
12 was it in what he said, or not saying it to you and
13 Ms. Chapa first?

14 A Both. In what was said, and that he had not
15 mentioned it to both Erica and I, Mrs. Chapa.

16 In addition to that, just -- as you had
17 asked earlier if there was anything else that Erica had
18 communicated to me about Billy. Related to that, Erica
19 was going to follow up with Billy Green about that
20 particular situation. And it was going to be an
21 associate -- a corrective action form, a verbal, to go
22 over email etiquette, the Christus core values,
23 particularly integrity. When she tried reaching out to
24 Billy Green -- and I don't remember the specific date on
25 that -- he was not in the office. I do recall that she

1 November, do you remember him explaining that he was
2 under a lot of stress because of his son?

3 A No.

4 Q You never knew that at the time?

5 A No.

6 Q Ms. Chapa never told you?

7 A No.

8 Q And you never were present for a meeting where
9 Billy would explain that he's having to spend -- like
10 stay up all night, do all kinds of things trying to help
11 his son work through some kind of issues?

12 A No.

13 Q Is it news to -- me telling you this now?

14 A No.

15 Q So you've learned it since?

16 A Uh-huh. Well, I learned it and I saw it as well
17 when I saw the email where he indicated that. So that's
18 why in December, the beginning -- I guess around
19 December, beginning of December, I went to Corpus Christi
20 and met with him and Ms. Chapa. And I know this had
21 already been given to him previously -- provided the
22 employment assistance program pamphlet and indicated to
23 him that there were resources available that Christus
24 provides to associates and their families.

25 In addition to that, we provided -- I

1 provided information on -- a reminder of FMLA, the Family
2 Medical Leave Act.

3 Q And what did you tell him about the Family
4 Medical Leave Act?

5 A That that is available and that we can
6 contact -- he can contact Christus Healthy Habits or our
7 HR business partner in case he does have additional
8 questions and would like information on that.

9 Q And that was a face-to-face meeting with
10 Mr. Green and Ms. Chapa?

11 A Yes.

12 Q And did he mention then that he was still having
13 trouble with his son?

14 A No.

15 Q He did not mention that?

16 A Huh-uh.

17 Q Did you ever find out what kind of trouble he
18 was having with his son?

19 A Yes.

20 Q What's your understanding of what trouble he was
21 having with his son in November, December time frame?

22 A I don't know specifically, but I do know that
23 there were some concerns or issues that were going on.

24 Q Do you know what the issues or concerns were?

25 A No.

1 wanted to inform you today that Erica and I met with
2 Billy Green. You were via Skype; is that right?

3 A Yes.

4 Q You were scheduled to meet with Billy Green. At
5 2:30, he became agitated and did not allow Erica or I the
6 opportunity to provide coaching to discuss the matter for
7 which he was contacted.

8 In what way did he become agitated and not
9 allow you guys to provide coaching?

10 A So we were supposed to be meeting with him to do
11 coaching for two unauthorized tardies, and also for -- I
12 believe it was on December 14th -- for a project which he
13 had not communicated on and for which he was not present
14 when he was asked for support on site.

15 So the coaching was supposed to be done on
16 the unauthorized tardies. When we were there -- well, I
17 was there via Skype. Erica was there on site. As
18 mentioned, we were supposed to start at 2:30. I did ask
19 after 2:30 if he was going to be present and he did show
20 up at 2:39.

21 The beginning of that meeting, Erica
22 indicated that we were going to be meeting with him to --
23 to provide some coaching over the unauthorized tardies
24 that had occurred that day and the day prior. And over
25 the incident with the initiative or lack of communication

1 with regards to the initiative that needed to go live on
2 the 14th.

3 He became agitated by saying, This is
4 bullshit. Indicating no one needs to be telling me where
5 I need to work and when I need to work.

6 This is me hearing from my end on the call.
7 I proceeded to say, Billy, that is unacceptable. That is
8 unprofessional. We do not tolerate that.

9 Erica then tells me while I'm on the call,
10 Lilli, he's -- he's walking out of the office. He's
11 yelling in the hallway.

12 There were associates present in their
13 cubbies, according to Erica. He was in the hallway when
14 he was -- I couldn't hear on my end of the phone. So I
15 proceeded to contact our HR business partner. I don't
16 remember if I did it via Skype, but I did contact her.
17 And I was concerned at that time for Erica's safety and
18 the team's safety because of what I heard from how he
19 reacted in that meeting, not allowing us an opportunity
20 to proceed with the coaching or anything.

21 Q What was it about what he said that made you
22 think safety was an issue?

23 A When he said, This is bullshit. And when he
24 said, I can work whenever I want, wherever I want, in a
25 loud tone, what sounded like an angry, loud tone.

1 A That was -- no, I don't remember.

2 Q And then you state that he was unwilling -- you
3 state that he was unwilling to do it. I guess you're
4 saying he was unwilling to provide this report?

5 A Yes.

6 Q You don't recall?

7 A Huh-uh.

8 Q And then he voiced that he would report this to
9 the highest levels. What did he say he would report to
10 the highest levels?

11 A He only indicated that he would report this to
12 the highest levels, but did not indicate what.

13 Q Was there a problem with the go -- with the
14 Pixus Go Live on December 14th?

15 A They only ended up going live with one facility
16 versus six.

17 Q Was that bad?

18 A No.

19 Q No? Is that something that you and Erica Chapa
20 expected to happen?

21 A No. Billy had informed us that six would be
22 going live, but only one went live.

23 Q So based on what Billy told you, you thought all
24 six would go live?

25 A Correct.

1 Q Did Billy express any concerns to you with how
2 the Go Live was set up or put in place?

3 A No.

4 Q When he says he'll report this to the highest
5 level, is it possible he was referring to the Pixus Go
6 Live on December 14th?

7 MS. BLAIR: Objection, calls for
8 speculation.

9 A No.

10 Q (BY MR. CRANE) You're saying it's not possible?

11 A I don't think so.

12 Q Well, you don't -- you have no understanding of
13 what he meant when he says he's going to report this to
14 the highest levels?

15 A I think it might be related to this in general.
16 I don't know.

17 Q And then the rest of your paragraph at the top
18 of Page 2 says, He's been placed on administrative leave.
19 Badge has been disabled. His access has been disabled.
20 He has been escorted by security at Spohn Shoreline.

21 What does it mean when he says he has been
22 escorted by security at Spohn Shoreline?

23 A So when he did yell, This is bullshit, and when
24 he said, I can work from home whenever I want, wherever I
25 wanted, someone contacted security. I don't know who.

1 Maybe one of the associates. I don't know. Someone
2 contacted the security guard. And I wasn't there
3 physically, so I don't know exactly what happened, but I
4 do know that Erica tried talking to him and he still
5 remained very agitated. So security was called and he
6 was asked for his badge and was escorted out.

7 Q Escorted --

8 A Escorted, but I think he did speak -- I'm not
9 sure -- to the HR business partner as well. I was told
10 that he was being placed on administrative leave.

11 Q Escorted out of the facility, you mean?

12 A Yes.

13 Q So was he being fired?

14 A He was placed on administrative leave.

15 Q Which means what?

16 A That he's placed on administrative leave until
17 Christus -- we have time to evaluate the situation and
18 then make the determination on whether or not he should
19 be fired.

20 Q And you base that on what Erica Chapa told you?

21 A No. On what occurred.

22 Q Well, how do you know what occurred?

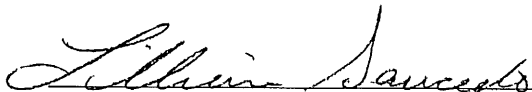
23 A Well, the way he reacted during our last
24 conversation, which was supposed to be a coaching
25 opportunity.

CHANGES AND SIGNATURE

WITNESS: LILLIANA SAUCEDO

DEPOSITION DATE: November 14, 2018

PAGE	LINE	CHANGE	REASON
10	1	"details were" to "wording was"	Clarification
13	9	"I believe so" to "if not pre-approved"	Clarification
14	9	"Live" to "Life"	Transcription Error
23	14	"I don't remember" to "Yes"	Refreshed memory with document
24	22	Add before "From July": "The PIP was related to the Final corrective action in November"	Misunderstood
29	12	"No" to "Yes, in December"	Misunderstood
30	14	"No" to "Yes"	Misunderstood
41	1	"That was – no, I don't remember" to "Ivonne tried to talk to him on the phone to get his report and he refused."	Misunderstood
41	7	"Huh uh" to "He refused to speak to Ivonne."	Misunderstood
43	8-9	" - I'm not sure – to the HR business partner as well" to "to Erica about what the HR business partner said as well."	Clarification



Lilliana Saucedo

Date: 12-19-18

1 UNITED STATES DISTRICT COURT
 2 SOUTHERN DISTRICT OF TEXAS
 3 CORPUS CHRISTI DIVISION

3 BILLY T. GREEN,)
 4 PLAINTIFF,)
 5 VS.) CIVIL ACTION NO.
 6) 2:18-CV-0064
 7 CHRISTUS SPOHN HEALTH)
 8 SYSTEM CORPORATION d/b/a)
 9 CHRISTUS SPOHN HOSPITAL)
 10 CORPUS CHRISTI SHORELINE,)
 11 DEFENDANT.)

12 REPORTER'S CERTIFICATE/FILING CERTIFICATE

13 ORAL DEPOSITION OF LILLIANA SAUCEDO

14 November 14, 2018

15 I, SHARON L. MCDONALD, Certified Shorthand Reporter
 16 in and for the State of Texas, do hereby certify that the
 17 facts stated by me in the caption hereto are true; that
 18 the foregoing deposition transcript of LILLIANA SAUCEDO,
 19 the witness, herein before named, was at the time
 20 mentioned taken by me in stenograph, the said witness
 21 having been by me first duly cautioned and sworn upon her
 22 oath to tell the truth, the whole truth and nothing but
 23 the truth, and later transcribed from stenograph under my
 24 supervision.

25 I further certify that I am neither attorney or
 counsel for, related to, nor employed by any parties to

1 the action in which this testimony was taken and,
2 further, that I am not a relative or employee of any
3 counsel employed by the parties hereto or financially
4 interested in the action.

5 I further certify that pursuant to information given
6 to the deposition officer at the time said testimony was
7 taken, the following includes all parties of record and
8 the amount of time used by each party at the time of the
9 deposition:

10 Mr. Thomas J. Crane (1 hour, 6 minutes)
Attorney for Plaintiff
11 Ms. Danya W. Blair (0 hours, 0 minutes)
Attorney for Defendant
12

13 I further certify that \$378.00 is the officer's
14 charges to the plaintiff for preparing the original
15 deposition transcript and any copies of exhibits.

16 That the deposition transcript was submitted on
17 December 3, 2018, to the witness or to the attorney for
18 the witness for examination, signature, and return to me
19 by January 3, 2019;

20 I further certify that the above and foregoing
21 deposition transcript as set forth in typewriting is a
22 full, true and correct transcript of the proceedings had
23 at the time of taking said deposition.
24
25

1 Certified to by me this the 3rd day
2 of December, 2018.

3
4 

5 _____
6 Sharon L. McDonald, CSR
7 Texas CSR 5423
8 Expiration: 12/31/19
9 Hill Country Court Reporters
10 Firm Registration No. 423
11 6838 Country Hill
12 San Antonio, Texas 78240
13 (210) 691-1633
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HILL COUNTRY COURT REPORTERS
(210) 691-1633

Exhibit C

1 UNITED STATES DISTRICT COURT
 2 FOR THE SOUTHERN DISTRICT OF TEXAS
 3 CORPUS CHRISTI DIVISION

4 BILLY T. GREEN)

5 Plaintiff(s))

6 VS.)

C.A. NO. 2:18-CV-0064

7 CHRISTUS SPOHN HEALTH)

8 SYSTEM CORPORATION D/B/A)

9 CHRISTUS SPOHN HOSPITAL)

10 CORPUS CHRISTI SHORELINE)

11 Defendant(s))

12 *****

13 ORAL AND VIDEOTAPED DEPOSITION OF

14 BILLY T. GREEN

15 NOVEMBER 15, 2018

16 VOLUME 1

17 *****

18 ORAL AND VIDEOTAPED DEPOSITION OF BILLY T. GREEN,

19 produced as a witness at the instance of the Defendants,

20 and duly sworn, was taken in the above-styled and numbered

21 cause on NOVEMBER 15, 2018, from 10:37 a.m. to 5:41 p.m.,

22 before MARCY A. WELLS, CSR in and for the State of Texas,

23 reported by machine shorthand, at the offices of Lexitas,

24 1450 Wells Fargo Tower, 615 North Upper Broadway, Corpus

25 Christi, Texas, pursuant to the Federal Rules of Civil

Procedure.

1 that morning from a pharmacist about what the pharmacist
2 termed as an urgent issue that could be a patient safety
3 issue, so I logged in from home to try to address the
4 concern. Erica interrupted with this Skype conversation,
5 but then I phoned her afterwards.

6 Q Well, you understood, at that time, that you
7 were not supposed to work from home without permission
8 from your supervisor, correct?

9 A Yes, I did. I might add that she and I had
10 discussed the issue about my having to work from home to
11 address urgent issues. Other department employees who are
12 also single parents were allowed to work from home. Isla
13 Lara comes to mind. She often left early and continued
14 her work from home. She also had a single son that she
15 cared for. Isla Lara's statement was, "Well, Erica knows
16 that we work from home. We know that she knows that we
17 work from home, but we just don't discuss it. If you
18 don't make an issue of it or don't talk about it with her,
19 they won't bring it up and make an issue out of it.

20 Q Okay. Well, it appears, from this Skype
21 exchange, that Erica is making an issue of it and
22 reminding you that she needs to be aware of it if you're
23 working from home, right?

24 A Yes. That very well illustrates her unfair
25 treatment of me compared to other department employees.

1 Q So you feel that back in July of 2016, Erica
2 Chapa was treating you unfairly?

3 A Absolutely.

4 Q And you believe that -- is it Isla Lara?

5 A Yes.

6 Q -- that Isla Lara was not getting permission
7 to work at home?

8 A She worked from home frequently. Erica was
9 aware of it and permitted it.

10 Q Okay. And Erica, on this occasion, at least
11 on July 14, 2016, was not aware that you were working from
12 home when she tried -- reached out and tried to contact
13 you? You had not made her aware of it ahead of time?

14 A No. I had not because it was an emergency
15 situation where I've been contacted by a pharmacist for
16 the patient safety issue that I had addressed.

17 Q So where, in this Skype exchange, when she
18 asks you why you're working from home, do you tell her
19 that you are dealing with an urgent issue that someone
20 called you about?

21 A We discussed that on the phone call where
22 she -- I might add some background to this issue. I got
23 that call and felt like it needed to be addressed, but I
24 was supposed to be off work, so I started looking at it
25 from home. I'd gotten up, had not checked my blood

1 pressure -- I mean my blood sugar, had not taken my
2 insulin. I found Erica after the Skype exchange. She
3 started fussing at me, raising her voice. I felt like I
4 was her six year old son or her hen-pecked husband or
5 something. She continued, got very rude and obnoxious, at
6 which point I hung up on her. I told her I would talk to
7 her later. I couldn't communicate effectively with her,
8 being out of control like that.

9 Q Okay. Now, when your supervisor, Erica
10 Chapa, was having a work related discussion with you about
11 performance expectations, you say you felt like a
12 hen-pecked husband?

13 A This was on the phone call subsequent to
14 this text exchange.

15 Q Did you ever have -- Did you have a problem
16 being asked to report to a woman?

17 A No.

18 Q Did you have problems being asked to report
19 to a Hispanic woman?

20 A No.

21 Q Did you ever refer to Erica Chapa and
22 Lilliana Saucedo as Hispanic boss buddies?

23 A No.

24 Q Did you have trouble being asked -- Did you
25 have an issue with being asked to report to an RN as

1 opposed to a pharmacist?

2 A No. I had issues with Erica's treatment of
3 me. One statement she made in front of several other of
4 my department coworkers was, "When you first started
5 working here, I thought you were really stupid, but I
6 think you're pretty cool now."

7 Q Who said that?

8 A Erica Chapa.

9 Q So back to my question. You say that the
10 reason that you were working from home without permission
11 is because it was an emergency situation. So why is it
12 that when Erica Chapa asked you, at the very beginning of
13 her message, "Why are you at home," instead of saying, "I
14 have an emergency situation that I'm dealing with for
15 work," you said, "I got stuck at work, LOL, was talking
16 with Randy yesterday"? What does that have to do with the
17 reason that you were working at home, if it was an
18 emergency situation?

19 A She was concerned that I was working too
20 many hours. Christus had -- did not want people working
21 outside of their normal work hours; yet, my workload was
22 such that it required me to work extra hours, which was
23 the reason I needed access to be able to work from home,
24 to be able to complete my assignments.

25 MS. BLAIR: Objection. Nonresponsive.

1 E-mailing me," or whoever, you know. That's not her
2 point. Erica is the person that's making a big deal out
3 of me communicating directly with my supervisors in
4 Irving, and she felt like it made her look bad if she
5 didn't come up with a resolution to these issues to
6 present to her superiors. I mean, I didn't give a rip
7 whether people got angry at me or not about communicating
8 via E-mail, trying to resolve important issues that could
9 impact patient safety. My only concern was that the
10 issues be resolved in a timely fashion and that we avoid
11 any potential patient safety issues.

12 MS. BLAIR: I'll object to nonresponsive.

13 Q So is it your -- Is it your claim that
14 Erica Chapa's discipline, the discipline you received from
15 Erica Chapa in June and July of 2016 was motivated by
16 something other than your insubordination and job related
17 misconduct?

18 A Absolutely.

19 Q Okay. And what are you claiming that it
20 was motivated by?

21 A I have no idea what her actual motivation
22 was. I would assume that she was concerned that if Leslie
23 and Marvin and the folks in Irving found out that we were
24 having issues that she had not been able to resolve, that
25 it would reflect poorly upon her.

1 Q Anything else that you think motivated her
2 discipline of you in June or July of 2016?

3 A Just the way she treated me.

4 Q I mean, do you think she just didn't like
5 you?

6 A A statement like "I thought you were stupid"
7 in front of other department members seems to indicate
8 that she did not like me.

9 Q Did you like her?

10 A I did. I baked her a red velvet cake for
11 her birthday. I tried to be as open and communicative
12 with her as possible.

13 Q All right. Do you think there's anything
14 else that was motivating Erica Chapa's discipline issue to
15 you in June or July of 2016, other than what we've already
16 discussed?

17 A I don't know. I can't speak for her
18 motivations.

19 Q All right. And we talked about the fact
20 that you did not write any associate comments here on the
21 discipline form in July -- on July 14th of 2016, and you
22 say because you didn't think it would do any good to do
23 that, right?

24 A My issues with regard to getting
25 infrastructure problems addressed, as well as other

1 Q Is he a general practitioner or what type of
2 doctor?

3 A Yes.

4 Q Okay. And so you're saying this was in
5 November of 2016?

6 A Right. That's when I had taken the form to
7 him.

8 Q All right. And so you filled out the
9 form -- you had Dr. Lopez fill out the medical provider
10 form and who did you give it to?

11 A I submitted it to Liberty Mutual.

12 Q All right. And what happened? Let me ask
13 you this: What dates did you request to take FMLA leave?
14 What were the dates in your FMLA request?

15 A Erica and I were trying to figure out how to
16 get by without my having to take FMLA leave. That was
17 both of our goal. I didn't want to have to miss work, but
18 the issues with Mark had gotten so bad, I didn't actually
19 follow through with the next steps in taking FMLA. Of
20 course, I would have needed to have gotten documentation
21 from his physician if I was taking FMLA on his behalf.
22 So, at one point, I believe at the meeting -- it's
23 documented with -- It was one of those exhibits that you
24 produced after the first exhibits were presented during
25 the quarterly appraisal review. We had talked about that,

1 and I was saying, "I think I need to take FMLA. Mark is
2 keeping me up all night. She mentioned that in that
3 performance review but didn't give any details, of course,
4 due to patient privacy concerns; and, at one point, I met
5 with her about that, and she just said, "Don't worry about
6 it. I'll fix it." I didn't have enough PTO time to take
7 the mandatory holidays for Christmas and New Year's.

8 Q But you'd been communicating with Liberty
9 Mutual about your FMLA, right?

10 A Right.

11 Q And you understood that you don't have to
12 have any accrued paid time off to take FMLA leave, right?

13 A Well, my thought -- I mean, Erica and I both
14 were trying to avoid the need for me to take FMLA leave
15 because we had the three big projects. We had the
16 MEDITECH upgrade. We had the I.V. pump purchase, which I
17 was the only person at Christus Spohn who had the ability
18 to program those pumps and the only person with access to
19 get in there and fix the data sets for the pump purchase.
20 So I was concerned that if I was missing work, that the
21 pump purchase would fall through because we wouldn't get
22 those pumps -- the new pumps programmed when they are
23 delivered and brought on line.

24 Q So are you saying Erica was also concerned
25 about you being gone, because she didn't think that she

1 Q Right here (indicating)? All right.

2 A Bear in mind, this is at the time that my
3 son had been in the hospital in San Antonio.

4 Q Okay. And you had asked to work out of San
5 Antonio while your son was in the hospital, and you were
6 granted that request, right?

7 A No. Actually, Erica charged me for PTO time
8 when she told me I could work from up there.

9 Q Okay. She set up an office for you to work
10 out of San Antonio and you never showed up; is that right?

11 A My son was discharged on the day that I
12 arrived up there.

13 Q Are you saying that she denied your request
14 to be allowed to work from San Antonio while your son was
15 in the hospital, out of Santa Rosa?

16 A She didn't deny my request. She billed me
17 for PTO time.

18 Q Is that because you never showed up to work
19 at Santa Rosa?

20 A No. I phoned her and said, "Mark has been
21 discharged," you know. So there was no need for me to go
22 work out of Santa Rosa because I had to take him back to
23 Corpus.

24 Q And so you took a PTO day to do that?

25 A Well, she charged me for a PTO day. She

1 said she wasn't going to do that, which is not really --
2 Well, it is pertinent because I'd run out of PTO time,
3 which was going -- so I have to take -- but I take FMLA
4 leave. That was the only way I could preserve my job and
5 care for my son at the same time; yet, once they met with
6 me to discuss that, Erica tried to dissuade me from taking
7 it by saying, "Don't worry about it. I'll just fix it,"
8 and then, three days later, they turn around and
9 terminated me.

10 Q So are you saying that you --

11 A I'm saying exactly what I said. Don't read
12 anything into it.

13 Q That you were charged for a PTO day on a day
14 that you were actually working out of Santa Rosa?

15 A We discussed the details of my having to go
16 to San Antonio to get my son. Erica was aware that no one
17 knew what day he would be discharged. I had talked with
18 John Jacobs, who was, at the time, Erica's equivalent in
19 San Antonio, and he said, "Sure, I've got an office up
20 here for you to use," and she said, "Yeah, that will be
21 fine. You can work out of San Antonio while he's in the
22 hospital. Went up there and spent the night; got up the
23 next morning and they phoned me about 8:30 or so and said,
24 "We think Mark will be discharged today." So she charged
25 me for a PTO day for that day.

1 Q Did you work that day?

2 A No. I'm just telling you what happened.

3 Q All right. I'm going to hand you, Mr.

4 Green, an exhibit that's been marked as Exhibit 12 to your
5 deposition.

6 (EXHIBIT NO. 12 WAS MARKED

7 FOR IDENTIFICATION.)

8 Q And this is the Performance Improvement Plan
9 referenced in the previous document. Take a look at that
10 document and then I'm going to ask you some questions
11 about it.

12 A Did you ask me a question about this
13 document?

14 Q No. I was giving you a chance to look at it
15 first.

16 A Oh. Okay.

17 Q Have you had an opportunity?

18 A Certainly.

19 Q All right. If you look at the last page of
20 that document, is that your signature?

21 A Yes, it is.

22 Q And you wrote a date of December 7th, 2016,
23 next to your signature?

24 A Yes.

25 Q And did you, in fact, review this

1 Q (By Ms. Blair) And, also, I'm not talking
2 about September right now. I only want to talk about
3 these three from December, okay?

4 A This is the September one. Okay. I was
5 correct. I didn't get three --

6 Q You can't actually write on those. Those
7 are the court reporter's exhibits.

8 A Oh, okay.

9 Q Those are actually -- I'm giving them to
10 you, but I'm only giving them to you --

11 MR. CRANE: They actually belong to the
12 court reporter.

13 A I thought they were my copies.

14 Q Once they're marked, they belong to her. So
15 that's fine. We will just note on the record that there's
16 a little bit of a scribble on Exhibit 8 that was made by
17 Mr. Green.

18 All right. So looking at Christus 68, do
19 you see there that Ms. Chapa is expressing a concern about
20 reports that were made to her that you were not onsite,
21 not available during the Pyxis Go Live on December 14th?

22 A Yes. I have that document here.

23 Q Okay. And that is a coaching document,
24 right? It's not a corrective action form. It's a
25 coaching document, right?

1 A Yes.

2 Q And you had been presented with coaching

3 documents by Ms. Chapa before?

4 A Yes.

5 Q As we saw in September, right?

6 A Yes.

7 Q And you understood that the purpose of the

8 coaching document was for her to set out what the concerns

9 were and what the expectations were to help you improve,

10 right?

11 A Right.

12 Q Okay.

13 A Understand that this write-up regarding the

14 Pyxis Go Live was Erica's concern to not look bad for her

15 supervisors in Irving due to the fact that I put my foot

16 down and refused to initiate changes at six emergency room

17 slides at once due to the fact that nursing had not been

18 trained on the new user interface. It would have delayed

19 administration of emergent drugs where nurses are not able

20 to pull drugs from the Pyxis drug dispensing cabinets. I

21 told her that, but she wanted to try to do it anyway, not

22 to mention it was physically impossible for me to be at

23 six sites at one time to ever see the transition.

24 Q Were you at one site?

25 A Yes. At Spohn-South.

1 couldn't do that.

2 Q So if she says that --

3 A Linda was also -- Excuse me. Linda was
4 also concerned that the nurses had not been trained at all
5 sites and that flipping all sites at once would -- could
6 be disastrous.

7 Q So you decided, contrary to what Erica
8 wanted --

9 A Absolutely. I made that decision.

10 Q So you decided, contrary to what Erica, your
11 supervisor, wanted to do, you were only going to go live
12 at one site?

13 A Yes.

14 Q And you feel she was upset about that
15 because it made her look bad?

16 A And retaliated by writing me up three times
17 and terminating me after I'd applied for FMLA leave.

18 Q Because you --

19 A I mean, I have no way to know what her
20 motivation was to continue harassing me about things, but
21 I will not jeopardize patient safety. I don't care if the
22 president of the company says to do something. If I feel
23 like it's something that's going to cause a patient safety
24 issue, I'm not going to do it.

25 Q But you feel like -- You say you don't know

1 why Erica got angry and terminated you, but you do know
2 that you and she had a serious professional disagreement
3 about this Go Live?

4 A That, we did.

5 Q And you do -- It is your position and your
6 testimony under oath that rather than just go live at one
7 facility instead of six, like you wanted to do, you
8 actually told her you were going to do that in advance?

9 A She was aware of that and Linda was aware of
10 that, and Linda agreed with me that we should only do
11 South first. For one reason --

12 Q But I'm not asking about Linda. I'm
13 asking --

14 A And I'm telling you what happened.

15 Q Right.

16 A The Pyxis coordinator for Spohn-South had
17 completed her portion of what had to be done to convert
18 those Pyxis machines to the profile setting. The other
19 sites weren't ready yes. That, in addition to the fact
20 that nursing hadn't been trained, so I just felt that we
21 couldn't go forward with it.

22 Q Okay. And so setting aside what Linda knew
23 and what you think Erica Chapa knew, did you personally
24 tell Erica Chapa, prior to December 14, 2016, here under
25 oath, I'm asking you, did you tell her that you were going

1 (EXHIBIT NO. 15 WAS MARKED
2 FOR IDENTIFICATION.)

3 Q It's called receiving through the U.S.
4 Postal Service on Christmas Eve, December 24th, 2016, your
5 personal belongings being returned to you by Christus?

6 A I thought that was highly unusual,
7 considering that they had told me I was on administrative
8 leave.

9 Q All right. So the answer to my question is:
10 Yes, you did receive your personal belongings from
11 Christus on Christmas Eve 2016?

12 A Repeat the question.

13 Q You do recall receiving your personal
14 belongings returned to you by Christus through the U.S.
15 mail, receiving those on December 24th, 2016?

16 A I did, and when I opened the package, Erica,
17 who evidently packed the package, because she signed for
18 the package on the certified mail receipt, had broken the
19 photograph, eight by ten photograph of my son, Little
20 League photo. Several other items were broken and just --
21 I didn't know what to think. I thought, "Why is she
22 sending me my stuff broken?"

23 Q So it was broken by the time it got to you?

24 A Maybe in shipping. It sure didn't appear
25 that way from the way the box was packed. It was broken

1 UNITED STATES DISTRICT COURT
 2 FOR THE SOUTHERN DISTRICT OF TEXAS
 3 CORPUS CHRISTI DIVISION

3 BILLY T. GREEN)
 4)
 4 Plaintiff(s))
 5)
 5 VS.) C.A. NO. 2:18-CV-0064
 6)
 6 CHRISTUS SPOHN HEALTH)
 7 SYSTEM CORPORATION D/B/A)
 7 CHRISTUS SPOHN HOSPITAL)
 8 CORPUS CHRISTI SHORELINE)
 8)
 9 Defendant(s))

10 REPORTER'S CERTIFICATION

11 ORAL AND VIDEOTAPED DEPOSITION OF

12 BILLY T. GREEN

13 NOVEMBER 15, 2018

14 VOLUME 1

15
 16 I, MARCY A. WELLS, Certified Shorthand Reporter in
 17 and for the State of Texas, hereby certify to the
 18 following:

19 That the witness, BILLY T. GREEN, was duly sworn by
 20 the officer and that the transcript of the oral deposition
 21 is a true record of the testimony given by the witness.

22 I further certify that pursuant to FRCP Rule 30(f)(1)
 23 that the signature of the deponent;

24 x was requested by the deponent or a party before
 25 the completion of the deposition and returned within 30

1 days from date of receipt of the transcript. If returned,
2 the attached Changes and Signature Page contains any
3 changes and the reasons therefore;

4 ____ was not requested by the deponent or a party
5 before the completion of the deposition.

6 I further certify that I am neither attorney nor
7 counsel for, related to, nor employed by any of the
8 parties to the action in which this testimony was taken.

9 Further, I am not a relative or employee of any
10 attorney of record in this cause, nor do I have a
11 financial interest in the action.

12

13

14

Subscribed and sworn to on this 12th day of
December, 2018.

15

16

17



18

19

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22

23

24

25

MARCY A. WELLS, Texas CSR 2777
Expiration Date: 12-31-19
DepoTexas
Firm Registration: 644
615 N. Upper Broadway, Suite 1450
Corpus Christi, Texas
361-883-3400

Exhibit D

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BILLY T. GREEN)

Plaintiff)

VS.)

CIVIL ACTION

NO.: 2:18-CV-0064

CHRISTUS SPOHN HEALTH SYSTEM)
CORPORATION, D/B/A CHRISTUS)
SPOHN HOSPITAL CORPUS)
CHRISTI SHORELINE)

Defendants)

ORAL AND VIDEOTAPED DEPOSITION OF

BILLY T. GREEN

NOVEMBER 16, 2018

Volume 2

ORAL AND VIDEOTAPED DEPOSITION OF BILLY T. GREEN, produced
as a witness at the instance of the Defendant, and duly sworn,
was taken in the above-styled and numbered cause on the 16th
day of November, 2018, from 8:33 a.m. to 11:21 a.m., before
SKYLAR RODRIGUEZ, CSR in and for the State of Texas, reported
by machine shorthand, at the offices of Lexitas, 615 N. Upper
Broadway, Suite 1450, Corpus Christi, Texas 78401, pursuant to
the Federal Rules of Civil Procedure.

1 you actually produced to us in response to our request for
2 communications with Christus employees. Could you thumb
3 through that and let me know if that is, in fact, what this
4 appears to be?

5 (Exhibit No. 18 was marked.)

6 A. This is what we had produced.

7 Q. (By Ms. Blair) As communications with Christus
8 employees?

9 A. Yes.

10 Q. Are there any other communications that you still
11 have or still have access to, other than the ones that you took
12 out and read to me yesterday on your phone and these that you
13 produced, that would be with Christus employees since your
14 termination?

15 A. Not that I'm aware of.

16 Q. Okay. And another document that you produced, which
17 I've marked as Exhibit 19, is labeled at the top as a text
18 message to Marvin Skinner, Enterprise Pharmacy Informatics
19 Director in Irving, Texas. Is this a document that you've seen
20 before?

21 (Exhibit No. 19 was marked.)

22 A. Yes.

23 Q. (By Ms. Blair) All right. And where did this come
24 from?

25 A. It looks like somebody copied what was a Facebook

1 Messenger message.

2 Q. Was that you that copied it?

3 A. Yes.

4 Q. All right. And how did you -- how did you do that,
5 just cut and paste it or how did you copy this for production?

6 A. It may have been a text message, but it's just copied
7 and pasted onto a word document and printed out.

8 Q. Okay. Because I didn't see a date on here. Do you
9 know the date of this text?

10 A. It was early in 2017, probably January or so, 2017.
11 I can't say for certain.

12 Q. Do you still have this text on your phone, or is it a
13 Facebook message?

14 A. I don't know. I can look. Let's see.

15 Q. Okay.

16 A. I don't see it here.

17 Q. All right. So do you know if you received any
18 response to this from Mr. Skinner?

19 A. I don't think I did.

20 Q. All right.

21 A. I know there was another text message to him where I
22 detailed some of the things that I had been working on that
23 they needed to follow up on, but I don't have access to that.

24 Q. Why not?

25 A. It doesn't go back that far. I remember I looked for

1 that message when I found this one.

2 Q. Okay. Can you -- I want to go through this with you
3 and ask you about what some of this means. Could you read the
4 first sentence for me?

5 A. "Hey, by the way, what's up with this sneaky nurse
6 takeover, with two or three of them trying to put one over on
7 their old antique pharmacist?"

8 Q. Okay. So what did you mean by -- in this message
9 that you sent to Marvin Skinner in early 2017, what did you
10 mean by the "sneaky nurse take over"?

11 A. I was referring to the Pyxis project where they
12 attempted to follow through with Marvin's directions to flip
13 all the BD Pyxis machines to profile setting that I objected
14 to.

15 Q. That's what you're referring to here?

16 A. Yes.

17 Q. And what led you to text or message Mr. Skinner about
18 this sneaky nurse takeover in early 2017 when you were no
19 longer working over at Christus?

20 A. This was before March. So I had not determined what
21 my employment status was at that point in time.

22 Q. But your last day of work had been December 16th --

23 A. Right.

24 Q. -- of 2016?

25 A. Right.

1 after December 16th, so probably -- I think they sent them on
2 Thursday, so probably the following Thursday.

3 Q. Okay. So you stopped getting a paycheck shortly
4 after December 16th, 2016. Right?

5 A. Right.

6 Q. Wasn't that one more indication to you, in addition
7 to all of the indications that we discussed yesterday, that you
8 were no longer working there?

9 A. No. If I were on FMLA leave, I would have not been
10 paid for that. That's leave time without pay.

11 Q. All right. And then the next sentence here says,
12 "She and her also female Hispanic boss buddy do their retarded
13 write-ups. And she says, "Thank you, you just don't know how
14 much we appreciate it."

15 What did you mean by that? First of all, who is
16 "she and her also female Hispanic boss buddy"? Who are you
17 referring to?

18 A. Referring to Lilliana Saucedo and Erica Chapa.

19 Q. Okay. And what do you mean by "they do their
20 retarded write-ups. And she says, "Thank you. You just don't
21 know how much we appreciate it."

22 A. She's just very sarcastic in her demeanor and sort of
23 treated me like, well, we're us. You're not us. We appreciate
24 it. She's just very snide and rude about that sort of that.

25 Q. And you don't appreciate sarcasm in business

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

BILLY T. GREEN)

Plaintiff)

VS.)

CIVIL ACTION

NO.: 2:18-CV-0064

CHRISTUS SPOHN HEALTH SYSTEM)
CORPORATION, D/B/A CHRISTUS)
SPOHN HOSPITAL CORPUS)
CHRISTI SHORELINE)

Defendants)

REPORTER'S CERTIFICATION

DEPOSITION OF BILLY T. GREEN

NOVEMBER 16, 2018

I, SKYLAR RODRIGUEZ, Certified Shorthand Reporter in and
for the State of Texas, hereby certify to the following:

That the witness, BILLY T. GREEN, was duly sworn by the
officer and that the transcript of the oral deposition is a
true record of the testimony given by the witness;

I further certify that the pursuant to FRCP rule 30(f)(1)
that the signature of the deponent:

 X was requested by the deponent or the party
before the completion of the deposition and returned within 30
days from date of receipt of the transcript. If returned, the
attached Changes and Signature Page contains any changes and

1 the reasons therefore; _____ was not requested by
2 the deponent or a party before the completion of the
3 deposition.

4 I further certify that I am neither an attorney nor
5 counsel for, related to, nor employed by any of the parties to
6 the action in which this testimony was taken.

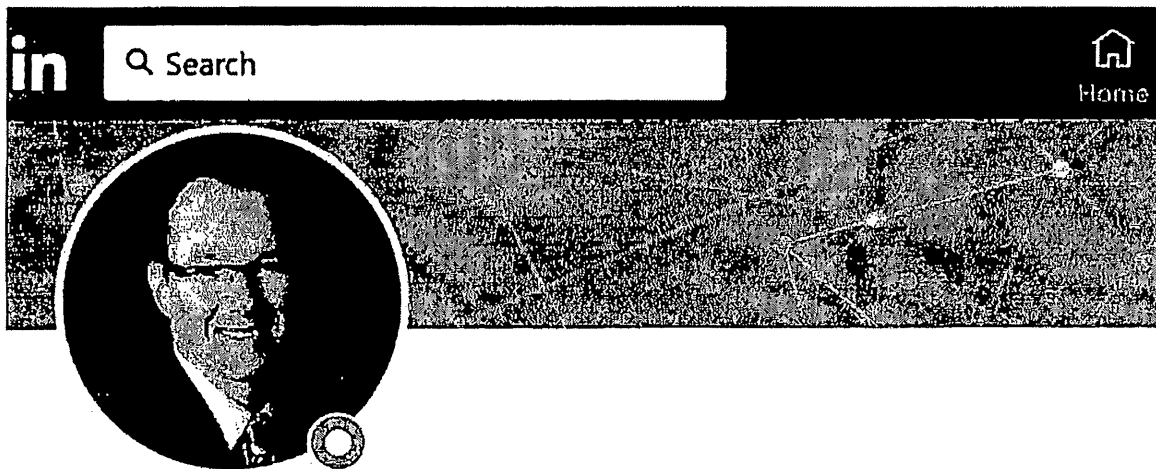
7 Further I am not a relative or employee of any attorney of
8 record in this cause, nor do I have a financial interest in the
9 action.

10 Subscribed and sworn to on this the 5th day of
11 December, 2018.

12
13 
14

15 SKYLAR MEAGAN RODRIGUEZ
16 Certified Shorthand Reporter
17 Certification No. 9205
18 Expiration Date: 12/31/2020
19 LEXITAS-Firm Registration No. 644
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22 Corpus Christi, Texas 78401
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24
25

Exhibit E



Luke Webster, M.D. • 1st

Luke Webster, M.D. ✕

Hello Dr. Webster! I see Christus has now opened 3 new Promptu medical clinics in Corpus Christi. I wanted to make a suggestion. It may be wise to consider using sites we already own or lease for Promptu clinics. The Christus clinic building on Padre Island is a good example. I know those new sites are in "high rent" commercial locations. Using our existing infrastructure for Promptu sites could reward us for our good stewardship of resources. Thanks, Billy

Exhibit F

Text message to Marvin Skinner, Enterprise Pharmacy Informatics Director in Irving, Texas:

Hey- by the way - what's up with this sneaky nurse takeover, w 2 or 3 of them trying to put one over on their old antique pharmacist? Especially since I told her that I'd tell her where they screwed up...once, or if, she fixed the screw up. Oh, well. Intentionally refusing to even get me a blasted functional headset was chicken scratch compared to her refusal to acknowledge, much less grant simple accommodation requests...especially considering I'd burned 8 pto days w/ my son hospitalized in San Antonio....and then she'd first said "do FMLA," then "don't worry about it. We'll pay your 1 PTO day, then just not pay for the days you need off for Christmas." Oh, and the fact that I'm missing 3 paychecks, PLUS my - & my son's - insurance was turned off—BEFORE the supposed termination took effect. And yet, premiums were still collected.... I just LOVE it. She and her also female Hispanic boss buddy do their retarded write ups, & she says: "Thank you! You just don't know how much WE appreciate it." Well, she DID actually try to have me arrested when I went back up to talk to her. So it's not as if she doesn't care. I did call it around and recommend her for her position, though. THAT was brilliant. No. Actually she has great potential - just overloaded like all of us. Anyway, my son's all better now! Not bipolar disorder-just some weird neuro stuff from the guy who plowed into him in that wreck 9/11. And SMH did NO neuro/head injury exam, MRI/CT etc. I had to sue Allstate for not paying the wreck claim...plus, that caused job loss (?) Not quite sure how to proceed....I'm sure I won't do nothing, though.